

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**ROBERT M. BRANNON,**

**Defendant.**

**8:16CR109**

## ORDER

This matter is before the court on the government's Motion to Continue Trial [34] and defendant's Unopposed Motion to Continue Trial on Counts I and II [35]. Due to the unavailability of an expert witness and government counsel's unavailability, the motions shall be granted. The defendant has complied [40] with NECrimR 12.1(a). For good cause shown,

**IT IS ORDERED** that the motions to continue trial [34] and [35] are granted, as follows:

1. The jury trial on Counts I and II, currently set for October 18, 2016 is continued to **November 1, 2016.**
2. The jury trial on Count III, currently set for October 25, 2016, is continued to **November 8, 2016.**

3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 8, 2016** shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED October 5, 2016.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**